

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>9/12/02</u>		2 Serial/Patent # <u>09/355,946</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/> Filing				\$
<input type="checkbox"/> Amendment				\$
<input type="checkbox"/> Extension of Time				\$
<input type="checkbox"/> Notice of Appeal/Appeal				\$
<input checked="" type="checkbox"/> Petition		14	9/12/02	\$ 1,280.00
<input type="checkbox"/> Issue				\$
<input type="checkbox"/> Cert of Correction/Terminal Disc.				\$
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		7 TOTAL AMOUNT OF REFUND	\$ 1,280.00	
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		Treasury Check		
<input type="checkbox"/> Overpayment		<input checked="" type="checkbox"/>	Credit Deposit A/C #:	
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<input checked="" type="checkbox"/> No Fee Due (Explanation):		<p>The holding of abandonment was withdrawn.</p> <p>***** THIS SPACE RESERVED FOR FINANCIAL USE ONLY *****</p>		
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Cliff Congo</u>		TITLE: <u>Petitions Attorney</u>		
SIGNATURE: <u>Cliff Congo</u>		PHONE: <u>305-0272</u>		
OFFICE: <u>Petitions</u>				

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Masanori NAKAMUR et al.

Application No.: 09/355,946

Filed: August 16, 1999

For: POLYOLEFIN ARTICLE AND METHODS FOR MANUFACTURE THEREOF

Attorney Docket No.: MIY-9007

Examiner: J. Gallagher

Art Unit: 1733

Confirmation No. 7148

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

BOX DAC

Commissioner for Patents
Washington, D.C. 20231

Sir:

RECEIVED
SEP 16 2002

OFFICE OF PETITIONS

Applicants have been advised by way of a Notice of Abandonment dated August 27, 2002, that the present application has been held to be abandoned for failure to timely file a proper reply to the Office Action mailed on November 5, 2001.

It is respectfully submitted that Applicants' representatives never received the November 5, 2001, Office Action from the United States Patent and Trademark Office.

Applicants would like to remind the Petitions Examiner that the subject Office Action was forwarded to Applicants' representatives from the United States Patent and Trademark Office during a time period when the US Postal Service was in disarray because of a national anthrax threat.

Applicants filed an Associate Power of Attorney and Notification of Change of Address with the United States Patent and Trademark Office on November 14, 2001. As a result, Applicants respectfully request that the United States Patent and Trademark Office forward any future correspondence to the name and address listed thereon.

Under Rule 137 (b), Applicants are required to reply to the outstanding Office Action. However, Applicants are unable to file a reply to the subject Office Action because, as mentioned above, such Office Action was never received by Applicants'

August date: 01/28/2003 AKELLEY
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representatives even though a designated employee of the Applicants' representatives personally checked once a day during that time period for any communications sent by the United States Patent and Trademark Office to its previous address. As a result, the entire delay in filing a proper response from the due date for the reply to the filing of this grantable petition was unintentional, and hence the abandonment of this application was unintentional.

The status of the above-identified patent application is other than a small business entity. Therefore, the required fee for this Petition under 37 CFR 1.17(m) is \$1,280.00. However, due to the national anthrax threat that significantly impacted delivery of US mail, Applicants respectfully petition and request that the petition fee and any other fees chargeable hereunder be waived?

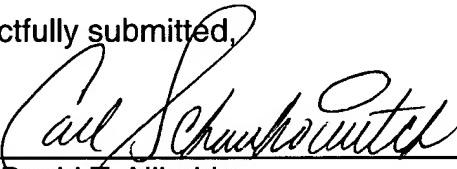
In view of the above, it is respectfully requested that the application be revived.

The Commissioner is hereby authorized to charge the fee under 37 C.F.R. § 1.17(m) and any other fees related hereto to Deposit Account No. 18-0013.

Please charge any fee deficiency or credit any overpayment with respect to this paper to Deposit Account No. 18-0013.

Respectfully submitted,

By:



David T. Nikaido
Reg. No. 22,663

Carl Schaukowitch
Reg. No. 29,211

Date: September 11, 2002

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